

REMARKS

Favorable reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Specification

The specification has been amended to place it in better form. It is respectfully submitted that no new matter has been added.

Claims Status

Claims 1 and 3 through 11 remain pending in the application. Claim 2 has been canceled. Claims 1, 3, 10, and 11 have been amended to even more succinctly define the invention and/or to improve their form. It is respectfully submitted that no new matter has been added. Claims 1, 10, and 11 are the only independent claims pending in the application.

Art Rejections

Claims 1 through 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,763,167 (Watanabe, et al.).

Claim 11 is rejected under 35 U.S.C. § 102(b) as being anticipated by Watanabe, et al.

The rationale underlying each of the foregoing art rejections is succinctly set forth in the Official Action.

Response to Art Rejections

The rejections are respectfully traversed.

Amended Claim 1 calls for a sheet processing apparatus that includes a positioning

unit arranged to position each of sequentially conveyed sheets at a predetermined position, wherein the positioning unit positions a sheet at a predetermined punching position in a direction substantially orthogonal to a conveying direction of the sheet, by grasping both end portions of the sheet in a lateral direction; a punching unit arranged to perform punching for a sheet positioned by the position unit; and a discharge unit arranged to discharge the sheet punched by the punching unit.

Amended independent Claim 10 calls for an image forming apparatus comprising an image forming unit arranged to form an image on a sheet and the sheet processing apparatus of amended Claim 1.

Amended method Claim 11 calls for controlling a sheet process apparatus punching in each of sheets, which has been formulated on the basis of amended apparatus Claim 1.

According to the invention recited in independent Claims 1, 10, and 11, sheets are sequentially conveyed to a predetermined position by grasping both end portions of a sheet in a lateral direction. A punching unit punches a sheet positioned by the positioning unit. The punched sheets are then discharged in a superposed state.

A discussion of sheet punching and superposition of the sheets can be found at least at in paragraphs [0052] through [0069] of the specification. Specifically, a description that the sheets are individually conveyed to a punching processing unit 550 can be found in paragraph [0055], and a discussion of superposing subsequent sheets in a sheet accommodating path 569 can be found in paragraph [0061].

Watanabe, et al. discloses that after the sheets are punched, they are fed one-by-one from the top. See column 10, lines 10 through 20 of the specification.

The Examiner argues that Watanabe, et al. disclose a positioning unit 320a, 320b,

323, and 325. However, the positioning units of Watanabe, et al. are not understood to disclose a positioning feature, wherein both end portions of the sheets are grasped in a lateral direction.

The independent claims have been amended to even more clearly distinguish over Watanabe, et al., by further defining the positioning unit feature.

Further, Watanabe, et al. performs punching of a plurality of sheets at one time and does not disclose punching sheets one-by-one as recited in the amended independent claims.

Finally, Watanabe, et al. does not disclose or suggest aligning the sheets in a lateral direction or aligning the sheets one-by-one.

It is respectfully submitted that Watanabe, et al. does not disclose features of the invention recited in amended Claims 1, 10, and 11, and therefore does not anticipate the claimed invention.

Dependent Claims

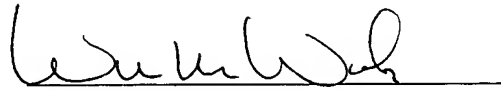
Claims 3 through 9 depend either directly or indirectly from one of Claims 1, 10, and 11 and are allowable by virtue of their dependency and in their own right for further defining Applicants' invention. Individual consideration of the dependent claims is respectfully requested.

Closing Comments

It is respectfully submitted that the pending claims are allowable over the art of record and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'William M. Wannisky', written over a horizontal line.

William M. Wannisky
Attorney for Applicants
Registration No. 28,373

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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